



Common Promotional Plan

Disposal of Wastewater in Residential Housing Developments

10 CSR 20-6.030

This fact sheet is to help those involved with on-site wastewater treatment systems in residential housing developments (subdivisions). Certain developments need approval from the department for the method of wastewater disposal to install onsite wastewater treatment. This fact sheet discusses the definition of a “common promotional plan” and how it affects residential housing developments.

A common question the Missouri Department of Natural Resources receives about the residential housing rule is “What constitutes a common promotional plan?” and “What does it matter if my development is or isn’t part of one?” These questions often come from developers who are interested in addressing wastewater issues in subdivisions and finding out whether their development will need approval from the department.

A common promotional plan is defined as a plan undertaken by one or more people offering lots for sale or lease, regardless of the number of lots in a development plan. The land does not have to be adjacent. If the lots are part of a common unit or common or similar name, the land is considered as being offered for sale or lease as part of a common promotional plan. To review the formal definition of a common promotional plan provided in 10 CSR 20-6.030 (1)(A)(2) Disposal of Wastewater in Residential Housing Developments, visit www.sos.mo.gov/adrules/csr/current/10csr/10c20-6a.pdf.

The following are examples of some common questions about common promotional plans.

A developer has two developments, each with six lots. A county road and small amount of vacant land that the developer owns separate the developments. Would this be considered part of a common promotional plan?

Yes, it would be considered a common promotional plan. Whether the land is adjacent or not, if it is part of the overall development undertaken by one or more people, the development would be considered part of a common promotional plan. Since we are now combining the two developments under this definition, the size of the lots become important. If seven or more of the lots are less than five acres in size, the department must approve the type of wastewater disposal unless otherwise exempted.

A developer purchased six lots in an existing development (Subdivision 1) that was already exempt and offered the lots for sale or lease. That same developer then purchased more property next to Subdivision 1 and plans to offer three more lots for sale (Subdivision 2). Would Subdivision 1 and 2 be a common promotional plan?

The lots in Subdivision 1 would remain exempt, but Subdivision 2 would be considered part of a common promotional plan because it is part of the overall development and offered by the same developer. As a result, the total number of lots in both subdivisions is over six and the proposed lots in Subdivision 2 would require approval from the department if each lot is less than five acres in size.

To reduce any possible delays with a development and to assist you with other permits that may be needed for a subdivision, the department recommends you visit the Permit Assistant Web site at www.dnr.mo.gov/mopermitassistant.

The department understands there is an infinite number of “What if” questions that the Permit Assistant site or other related fact sheets may not be able to answer. If you still have additional questions, please contact the department for assistance with your specific questions before proceeding with any project. Do not let a misunderstanding or misinterpretation of any rule cause delays with your project.

Other developments regulated by the Residential Housing Rule (10 CSR 20-6.030) include mobile home parks, recreational developments (RV Parks) and multiple family housing units. The department recommends you visit the Permit Assistant Web site, review the related fact sheets or contact the department to determine if your project requires approval.

Related Department Fact Sheets

Who Regulates Wastewater in Missouri?--PUB1296
www.dnr.mo.gov/pubs/pub1296.pdf

On-site Wastewater Disposal in a Subdivision--PUB2226
www.dnr.mo.gov/pubs/pub2226.pdf

Multi-Family Subsurface Soil Absorption Decentralized Cluster Systems--PUB2155
www.dnr.mo.gov/pubs/pub2155.pdf

Storm Water Permit Requirements for Land Disturbance Activities--PUB2009
www.dnr.mo.gov/pubs/pub2009.pdf

Water Well Construction--PUB2197
www.dnr.mo.gov/pubs/pub2197.pdf

Wellhead Protection Section – Frequently Asked Questions--PUB2193
www.dnr.mo.gov/pubs/pub2193.pdf

Related Internet Web Site

Department of Health and Senior Services - www.dhss.mo.gov/Onsite/

For More Information

Department of Natural Resources
Water Protection Program
Water Pollution Control Branch
P.O. Box 176
Jefferson City, MO 65102-0176
1-800-361-4827 or (573) 751-1300
www.dnr.mo.gov/env/wpp